

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

THOSE CERTAIN UNDERWRITERS AT)
LLOYD'S LONDON, subscribing to)
Certificate No. 492252,)
Plaintiff,) Civil Action No. 1:20-cv-41
v.)
MEDICAL FUSION, LLC, a North)
Carolina limited liability company,)
SUPERIOR HEALTHCARE PHYSICAL)
MEDICINE OF HENDERSONVILLE, PC, a)
dissolved North Carolina professional)
corporation; JEFFREY G. HEDGES, D.C.;)
and ANDREW WELLS, D.C.;)
Defendants.)
)

MOTION TO STAY AND IN THE ALTERNATIVE TO DISMISS WITHOUT PREJUDICE

COMES NOW Defendant Andrew Wells, D.C., by and through undersigned counsel, pursuant to 28 U.S.C. § 2201 and pursuant to Rule 12 of the Federal Rules of Civil Procedure, who moves the Court to stay this action pending outcome of a pending parallel proceeding, or in the alternative, to dismiss this action without prejudice.

The grounds for this motion are avoidance of piecemeal litigation, prematurity, judicial efficiency and conservation of judicial resources. Trial of this action would

result in piecemeal litigation, would not resolve all issues between the parties, and would be inefficient and duplicative. These grounds are set forth more fully in Defendant's memorandum filed contemporaneously with this motion.

This the 7th day of April, 2020.

BARBOUR SEARSON JONES & CASH, PLLC

s/Stephen L. Cash

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